# COMMITTEE ON LEGISLATIVE RESEARCH OVERSIGHT DIVISION

#### FISCAL NOTE

<u>L.R. No.</u>: 1484-12

Bill No.: CCS for SS for SCS for HCS for HB 567

<u>Subject</u>: Licenses–Professional; Economic Development Department

Type: Original Date: May 9, 2001

# **FISCAL SUMMARY**

ESTIMATED NET EFFECT ON STATE FUNDS				
FUND AFFECTED	FY 2002	FY 2003	FY 2004	
General Revenue	(\$140,965 to Unknown)	(\$528,025 to Unknown)	(\$340,637 to Unknown)	
Professional Registration (PR) Fees Fund	\$0	(\$114,888)	\$114,888	
Various Board Funds	\$59,397	\$81,626	\$84,074	
Clinical Social Workers Fund	(\$5,040)	\$294,960	(\$218,055)	
Chiropractic Examiners Fund	\$6,250	\$7,725	\$7,950	
Respiratory Care Fund	\$1,667	\$2,060	\$2,122	
Endowed Care Cemeteries Fund	\$173,417	\$214,343	\$220,773	
Healing Arts Fund	(\$16,240)	(\$16,240)	(\$16,240)	
Massage Therapy Fund	(\$4,480)	(\$4,480)	(\$4,480)	
Geology Fund	(\$4,480)	(\$4,480)	(\$4,480)	
Architects, et al, Fund	\$17,991	(\$40,710)	(\$7,210)	

Bill No. CCS for SS for SCS for HCS for HB 567

Page 2 of 27 May 9, 2001

Health Professional Student Loan and Loan Repayment Fund	(Unknown)	(Unknown)	(Unknown)	
Dental Board Fund	(\$2,687)	(\$11,052)	(\$11,365)	
Board of Pharmacy Fund	\$6,250	\$5,250	\$5,450	
State Highway Fund	\$4,200	\$4,200	\$4,200	
Total Estimated Net Effect on <u>All</u> State Funds	\$95,280 to (Unknown)	(\$109,711 to Unknown)	(\$163,010 to Unknown)	
ESTIMATED NET EFFECT ON FEDERAL FUNDS				
FUND AFFECTED	FY 2002	FY 2003	FY 2004	
Medicaid	\$0	\$0	\$0	
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0	

ESTIMATED NET EFFECT ON LOCAL FUNDS				
FUND AFFECTED	FY 2002	FY 2003	FY 2004	
<b>Local Government</b>	\$0	\$0	\$0	

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 27 pages.

# FISCAL ANALYSIS

#### **ASSUMPTION**

Officials with the **Office of the State Courts Administrator** and the **Office of Administration–Administrative Hearing Commission** assume the current proposal will have no fiscal impact on their agencies.

Officials with the **Office of the State Public Defender** assumed that existing staff could provide representation for those cases arising where indigent persons were charged with fraud to obtain licenses. This offense has been escalated from an Infraction to a Class A Misdemeanor.

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567 Page 3 of 27 May 9, 2001

# ASSUMPTION (continued)

However, passage of more than one similar bill would require the State Public Defender System to request increased appropriations to cover cumulative cost of representing the indigent accused in the additional cases.

In response to <u>previous similar proposals</u> regarding the subjects noted, the following agencies made assumptions as listed; officials with the **Department of Economic Development–Division of Professional Registration (DPR)** assumed the proposal would have the same fiscal impact as noted in their previous responses, with the exception of the following sections:

Dental Care for Children

Missouri Consolidated Health Care Plan (HCP) officials state this proposal would allow a child's treating physician to administer fluoride treatments and provide literature on routine dental care for children HCP states the routine dental literature would fall under the Department of Health's duties. Therefore, the administration of dental fluoride would affect health providers. HCP states that since the proposal does not mandate the care, it is difficult to estimate how many physicians would actually perform this service and include the cost in the contract negotiations with the plans. However, HCP feels any cost associated with the fluoride treatments would be minimal.

Officials from the **Department of Social Services** (**DOS**) state the proposal would allow physicians to administer fluoride treatments for children they are treating for immunizations. DOS states the proposal would also allow dental hygienists to provide fluoride treatments, teeth cleaning, and sealants without a dentist's supervision (Section 332.311). DOS states this would allow greater access to these dental services. DOS is unable to estimate the increase in billed units that would result from these two provisions.

Dental and Chiropractic Students

**Department of Health (DOH)** officials state there would be no fiscal impact as the amount of loan repayments made would be determined by the funds appropriated by the General Assembly for such purpose. DOH states that existing loan repayment staff and processes are in place to provide the services to dentists.

**Oversight** assumes this proposal would expand the current medical school loan repayment program to include dentists. **Oversight** assumes an unknown cost to the state.

<u>ASSUMPTION</u> (continued)

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567 Page 4 of 27 May 9, 2001

Automated External Defibrillator Advisory Committee

**Department of Health (DOH)** officials state there would be expenses for five committee members meeting four times a year. DOH states this would be \$65 for lodging, \$45 for meals, and \$75 for travel per meeting per member. DOH assumes the administrative and technical support to the committee would be provided using existing sources with DOH's Bureau of Emergency Medical Services.

Public and Private Cemeteries

Officials from the **Department of Natural Resources** stated there would be no fiscal impact to their department.

Officials of the City of St Louis stated there would be no fiscal impact to the City of St Louis.

**Endowed Care Cemeteries** 

The **Department of Economic Development–Division of Professional Registration (DED-DPR)** assumed the provisions regarding certificates of authority for the operation of endowed care cemeteries would generate 162 licensees at an annual fee of \$50 (set by rule), for an annual revenue increase of \$8,100. DPR estimates that 25,000 dispositions of human remains occur in licensed Missouri cemeteries. If half are buried in endowed care facilities, and half in non-endowed care facilities, the resulting revenue would approximate \$208,100 ( $162 \times 500 + 12,500 \times 100 + 12,500 \times 100 \times 10$ 

**Oversight** notes that the number of deaths in the state of Missouri approximate 54,000 annually, and feels this is a reasonable estimate; also, the estimate for FY 2002 has been adjusted to reflect ten months' revenue.

Occupational Therapists
Dieticians
Body Piercing and Branding

Officials with the **Office of Prosecution Services** assumed the proposal would have no fiscal impact on their agency.

ASSUMPTION (continued)

Termite Inspectors

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567 Page 5 of 27

May 9, 2001

Officials with the **Department of Agriculture-Division of Plant Industries** assumed the proposal would have no impact on their agency.

House Movers

Officials from the **Department of Economic Development - Division of Motor Carrier and Railroad Safety (DED)** note that according to the Department of Transportation, Oversize/Overweight Section, there are approximately 42 house-moving companies in the state. Therefore, the division would be required to license 42 companies per year at \$100 each, for a total of \$4,200 annually to be credited to the state highway fund. Officials assume this proposal would require an additional 1.5 FTE to perform the tasks required in the proposal in verifying that applicants meet all requirements and that house moves are made in accordance with the regulations specified in the bill. Total costs to the state highway fund would be \$67,055 for FY 2002, \$50,896 for FY 2003, and \$52,293 for FY 2004.

**Oversight** notes that in response to similar legislation in the prior year, DED requested .5 FTE at a cost of \$14,867 for FY 2001, \$13,669 for FY 2002, and \$14,011 for FY 2003. In 1999, in response to similar legislation, DED responded that the duties could be handled with existing staff. Since the expected number of licensees is reported to be the same, Oversight assumes that existing staff could absorb the duties of the current proposal.

Officials from the Department of Transportation (MoDOT), Department of Insurance (INS), Department of Economic Development - Division of Professional Registration (DPR), Department of Labor (DOL), Department of Revenue (DOR), Department of Public Safety-Missouri Highway Patrol (MHP) assume the proposed legislation would have either no fiscal impact or minimal fiscal impact on their agencies.

Private Investigators

Officials with the Office of the Attorney General, the Office of Prosecution Services, the Office of State Public Defender, the Department of Public Safety, the Department of Revenue, and the Department of Insurance assume minimal or no impact as a result of the proposal.

Officials with the **Department of Corrections** assume the proposal will result in some additional costs through supervision provided by the Department, but that the impact would be zero or a minimal amount that could be absorbed with existing resources.

# ASSUMPTION (continued)

This bill creates the Board of Private Investigator Examiners within the Division of Professional Registration. Officials with the **Office of the Secretary of State (SOS)** assume the board will

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567 Page 6 of 27 May 9, 2001

promulgate rules to carry out the provisions of this bill. Based on experience with other divisions, the rules, regulations and forms issued by the Board of Private Investigator Examiners could require as many as approximately 38 pages in the Code of State Regulations. For any given rule, roughly half again as many pages are published in the Missouri Register as in the Code because cost statements, fiscal notes and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the Missouri Register is \$23.00. The estimated cost of a page in the Code of State Regulations is \$27.00. The actual costs could be more or less than the numbers given (\$2,337). The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded and withdrawn.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials with the **Department of Economic Development–Division of Professional Registration** assume the proposal will result in the licensing of 8,266 individuals and 278 firms as private investigators, based on numbers from the Department of Public Safety. DPR assumes a fee of \$110 will be paid for all categories of licensure with triennial renewal. DPR estimates growth at 3%, and assumes licensure begins in FY 2003, for total revenues of \$469,920 in FY 2003 and \$14,080 in FY 2004.

It is assumed that all fees will be paid to and expenses paid from General Revenue, as no fund is established in the proposal.

DPR assumes that implementation of the proposal will require the employment of four FTE, as follows: one Principal Assistant (1 FTE at \$50,682) to serve as the senior executive officer of the agency; one Licensure Technician II (1 FTE at \$25,732) to provide technical support, processing applications for licensure as well as responding to any inquiries related to the licensure law or rules & regulations; .5 Account Clerk II (.5 FTE at \$12,179) to provide support for the Division's Central Accounting Section and Cash Receiving Room; .5 Investigator II (.5 FTE at \$19,693) to assist the Central Investigative Unit in conducting investigations & inspections.

Office and communication expenses are calculated by DPR based on estimated existing costs within the Division and follow Office of Administration guidelines. DPR estimates that 1200 square feet of office space will be needed for the new FTE, at a cost of \$16,200 annually. DPR estimates that the five member board would meet four times per year for two days per meeting,

#### <u>ASSUMPTION</u> (continued)

in Jeffers on City. Four meetings are expected in FY 2002 to promulgate rules. Mileage, lodging, and meal expenses are estimated at \$7,376 per annum.

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567 Page 7 of 27 May 9, 2001

Based on a similar agency, DPR assumes that 147 complaints may be expected annually. Each complaint is estimated to require five hours labor. An estimated 15% of these complaints will require investigations, each needing 30 hours of field work and one night's lodging. Travel expenses for the 22 investigations are estimated at \$5,610 annually. Also, 25% of the investigations are expected to result in referral to the Office of the Attorney General. At \$5,400 per case, total costs are estimated at \$27,000. Complaints, investigations, and cases are not expected until FY 2004.

The Office of the Attorney General is also expected to provide 60 hours assistance yearly with rules, opinions, and meetings. At an hourly rate of \$60.87, these costs are estimated at \$3,652 yearly.

Printing and postage costs are estimated at \$6.19 per licensee in the first year, for a total of \$55,710. Subsequent years are expected at \$15,960 annually, based on a similarly-sized board.

Licensed private investigators will represent 2.79% of the Division's licensees. As such, the board will be required to reimburse the Division and the Department of Economic Development for its share of administrative overhead costs, \$59,397 per annum. DPR assumes these costs will begin in FY 2002. Also, an automated licensure program is expected to be developed at a cost of \$21.65 per hour for eight hours, for a total cost of \$173 in FY 2002.

**Oversight** assumes that the \$59,397 in administrative costs will generally offset the required reimbursement of other funds, and will not be used for new FTE.

Certified Public Accountants

Officials from the Office of the State Treasurer; the Department of Corrections; the Department of Public Safety–Missouri State Highway Patrol; the Office of Administration–Division of Accounting and Division of Budget & Planning; the Coordinating Board for Higher Education; and the Department of Economic Development–Division of Professional Registration assumed the proposal would have no fiscal impact on their agencies.

ASSUMPTION (continued)

Landscape Architects

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567 Page 8 of 27

May 9, 2001

Officials with the **Department of Economic Development–Division of Professional Registration (DPR)**, assumed the proposal will result in 150 new licensees. (There were 200 existing licensees under the Landscape Architectural Council.) Projected revenues reflected a \$145 fee for initial licensure, and \$190 for biennial renewal. DPR assumed the Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects Fund will reimburse the Professional Registration Fund for all expenses, and that new licensing will commence in FY 2002.

DPR assumed the proposal will require employment of a Licensure Technician II (1 FTE at \$24,492 per year) to assist the landscape architectural division of the board, beginning in FY 2003. Rent for this 1 FTE is estimated at \$2,700 yearly.

DPR estimates first year mailing expenses to the new licensees at \$929 (\$6.19 per licensee).

The legislative proposal abolishes the Landscape Architectural Council (six members), and adds three members to the Board of Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects. The council met twice yearly for one day (12 days' per diem), while the expanded board will meet four times yearly for three days (36 days' per diem). Each year, \$700 was allocated for the council, while the three new board members will require \$1,800 yearly. Therefore, DPR assumed an additional \$1,100 will be expended yearly on board member's per diem. Travel expenses were estimated by DPR at an additional \$1,730.

**Oversight** noted that the Landscape Architectural Council Fund currently reimburses approximately \$10,000 to the Department of Economic Development for their share of administrative costs incurred by 3 FTE serving the council, as well as the real estate appraisers and interior design boards. As such, Oversight has adjusted the costs shown in the fiscal note to .75 FTE to more accurately reflect the incremental costs of the proposal. Additionally, Oversight assumed that the new employee will be placed in existing office space, and has therefore eliminated the rent expenditure.

Officials from the **Office of Administration–Division of Budget & Planning**, and the **Coordinating Board for Higher Education** assumed the proposal would have no fiscal impact on their agencies

ASSUMPTION (continued)

Chiropractic
Respiratory Care Practitioners

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567

Page 9 of 27 May 9, 2001

The **Department of Economic Development–Division of Professional Registration (DPR)** assumed that this legislation will have a net increase to the Chiropractic Examiners Fund and the Respiratory Care Practitioners Fund from the collection of fees for temporary licenses, therefore causing a net increase to total state revenue.

DPR assumed there will be 150 applicants for temporary chiropractic licenses at \$50 each, for a total annual revenue increase of \$7,500. Another 40 applicants for temporary respiratory care licenses are expected at \$50 each, for a total annual revenue increase of \$2,000. DPR estimated 3% growth for all new licensees. For FY 2002, DPR assumed only the ten month equivalent of the temporary license revenue estimated. All additional licensees were to be handled with existing staff. DPR noted that if the legislation results in a larger number of licensees than expected, additional appropriations in personnel and/or expense and equipment could be required.

#### Dental Hygienists

Officials from the **Department of Social Services (DOS)** states this proposal would allow dental hygienists to provide fluoride treatments, teeth cleaning, and sealants without a dentist's supervision. DOS states this would allow greater access to these dental services. DOS is unable to estimate the increase in billed units that would result from this proposal.

In addition section 332.311.2 would require Medicaid to reimburse any eligible provider who provides fluoride treatments, teach cleaning, and sealants provided to eligible children. DOS estimates the total fiscal impact to be unknown but greater than \$100,000.

**Department of Health (DOH)** officials state the Department of Economic Development - Division of Professional Registration would incur costs associated with the Hygienist Board. DOH also states there could be some costs associated with the development of a rule for independent hygienist practices in local public health agencies but that cost is not known and would be expected to be minimal. DOH states there would be no local costs as this would be a voluntary program for local public health agencies. DOH states the costs to Medicaid is not known. DOH states they assume that they would contract for professional services to administer this program. DOH states that the costs would include administrative services, laboratory services, and office expenses. DOH estimates costs of \$80,000 annually.

#### ASSUMPTION (continued)

Officials from the **Office of Secretary of State (SOS)** state this proposal creates the Advisory Commission for Dental Hygienists. SOS states that based on experience with other divisions, the rules, regulations, and forms issued by the Department of Health could require as many as 6

Bill No. CCS for SS for SCS for HCS for HB 567

Page 10 of 27 May 9, 2001

pages in the <u>Code of State Regulations</u>. For any given rule, roughly half again as many pages are published in the <u>Missouri Register</u> in the Code because cost statements, fiscal notes, and the like are not repeated in Code. These costs are estimated. The estimated cost of a page in the <u>Missouri Register</u> is \$23. The estimated cost of a page in the <u>Code of State Regulations</u> is \$27. The actual cost could be more or less than the numbers given (\$369). The fiscal impact of this proposal in future years in unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple proposals pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

Officials from the **Department of Economic Development (DED)-Professional Registration (DPR)** assume the proposed legislation would result in increased costs related to the establishment of the Advisory Commission for Dental Hygienists. The DPR assumes annual meeting expenses of \$7,096 would be incurred for the Advisory Commission to meet quarterly, for two days each.

The DPR assumes a .5 Licensure Technician II (.5 FTE at \$24,492 per year) would be needed to provide technical support directly to the Principal Assistant. This individual would be responsible for coordinating advisory board meetings, including, but not limited to, agenda preparation, minutes, etc.

Office and communication expenses and equipment are based on estimated existing costs within the Division and follow OA guidelines.

DPR also assumes the Office of the Attorney General would provide approximately 60 hours of assistance per year with rules, opinions and meetings at a cost of \$60.87 per hour, resulting in annual costs of \$3,652.

NOTE: The DPR assumes a license fee increase for dental hygienists may be necessary to cover the costs associated with this proposal.

## ASSUMPTION (continued)

**Oversight** assumes workload associated with the licensing of dental hygienists is currently occurring. Thus, the proposal should not create additional workload associated with licensees. Any additional workload would be associated with quarterly meetings for the newly created

Bill No. CCS for SS for SCS for HCS for HB 567

Page 11 of 27 May 9, 2001

Advisory Commission. Therefore, it is assumed any additional workload associated with quarterly meetings could be absorbed with existing resources. However, if the additional workload should be significant, then the DPR could request additional resources through the normal budget process.

For purposes of this fiscal note, **Oversight** has included costs associated with quarterly meeting expenses for the Advisory Commission and costs for the Attorney General to assist the Advisory Commission. Oversight assumes the Commission would only meet one time in FY 02, since the members would be required to be appointed by April 1, 2002, and therefore, has adjusted meeting expenses accordingly for FY 02.

Doctors of Osteopathy

Officials from the **Department of Transportation**, the **Department of Insurance**, the **Department of Social Services**, and the **Department of Conservation**, in similar response, assumed this proposal would not fiscally impact their agencies.

Missouri Consolidated Health Care Plan (HCP) officials stated that carriers include medical doctors and doctors of osteopathy in the networks without discriminating. HCP stated that proposal would not fiscally impact HCP.

Clinical Social Workers Baccalaureate Social Workers

Officials with the **Department of Economic Development–Division of Professional Registration (DPR)** assume the proposed legislation would result in the potential for 3,000 licensees. This is based on an estimate by the Missouri Chapter of the National Association of Social Workers, and is less than the past estimates of 15,000 to 30,000 made by the same organization and relied upon by DPR in response to similar previous legislation.

Revenue projected by DPR is based on a fee of \$100 for initial licensure and biennial renewal. A growth rate of 3% has been estimated. It is assumed that the Social Work Fund will reimburse the PR Fees Fund for all expenses paid on its behalf.

DPR assumes the proposal will require 1.5 FTE to absorb the workload created. The additional employees are a Licensure Technician II (1 FTE at \$24,492) to provide technical support directly

#### ASSUMPTION (continued)

to the Principal Assistant, and an Account Clerk II (.5 FTE at \$23,184) to provide support to the Division's Central Accounting Section and Cash Receiving Room. DPR notes that 300 square feet of office space are needed for these employees at a cost of \$4,050 annually. **Oversight** 

L.R. No. 1484-12 Bill No. CCS for SS for SCS for HCS for HB 567 Page 12 of 27

Page 12 of 27 May 9, 2001

assumes the employees will be located in existing offices and has not reflected this cost in the fiscal impact.

The Committee is assumed by DPR to meet four times per year for two days each. Associated travel expenses (mileage, lodging, meals) for the two additional committee members is estimated at \$2,502 per year, beginning in FY 2003. The additional per diem for all nine members of the Committee is estimated to cost \$560 per member, per year, for a total cost of \$5,040 annually, beginning in FY 2003.

DPR estimates printing and postage costs at \$6.19 per licensee per year, for an annual cost of \$18,750. Existing staff are expected to spend eight hours designing, programming, and implementing a computer licensure program at a cost of \$21.65 per hour, for a total cost of \$173. Office and communication expenses are based on existing costs within the Division and follow Office of Administration guidelines.

Based on the number of complaints received by the Committee for Social Workers, DPR assumes 20 complaints annually as a result of this proposal. Of the complaints, DPR estimates six per year will result in investigations, which will require 30 hours of field work each. At \$255 in travel expenses per investigation, the total annual cost is expected to be \$1,530, beginning in FY 2003.

DPR estimates that one investigation per year will be forwarded to the Office of the Attorney General (AGO) at a cost of \$5,400, beginning in FY 2003. Additionally, the AGO will provide approximately 60 hours per year of assistance with rules, opinions, and meetings, at a total annual cost of \$3,652. **Oversight** assumes this cost will not be incurred until FY 2003.

The Committee will be required by the Division of Professional Registration and the Department of Economic Development to reimburse the agencies for their share of administration costs based on the percentage of licensees served. The 3,000 licensees added by this proposal will be .95% of the licensees served by the Division, and will result in total reimbursements from the fund of \$20,224. **Oversight** assumes this cost will offset expenses paid by other board funds, and will be realized beginning in FY 2003.

Officials from the **Department of Social Services (DOS)** assume the current statute licensing Clinical Social Workers (RSMo 337.603(2)) provides for an exemption for state agencies. Specifically, the licensing requirements do not apply to "the practice of any social worker who is employed by any agency or department of the State of Missouri while discharging the person's duties in that capacity." This bill does not specifically provide the same type of exemption for baccalaureate social workers. However, two provisions in the bill may allow that exemption. The definition of baccalaureate social worker in 337.650(5) makes reference to providing services "for a fee". Social workers employed by the state are salaried workers and do not receive fees. Therefore, they may not be included in this definition. Also, Section 337.659 says

Bill No. CCS for SS for SCS for HCS for HB 567

Page 13 of 27 May 9, 2001

that no provision of the bill shall be construed to require any agency. . .not otherwise required by law, to employ licensed baccalaureate social workers. This section could be interpreted to extend the state agency exemption for clinical social workers to baccalaureate social workers as well.

Based on the assumption that state employees would be exempt from the licensing requirements in this bill, DOS assumes the impact would be zero. However, if this is not the case and DOS would have to hire only licensed social workers for all social services positions, the fiscal implications would be significant (unknown, greater than \$100,000). All social workers in the Division of Family Services, Division of Youth Services, and Division of Aging who did not meet the requirements and could not obtain licenses would have to be dismissed. Salaries would have to be increased to attract social workers with the necessary credentials. Furthermore, at least initially, there would not be sufficient numbers of licensed social workers to allow DOS to perform its functions of delivering social services to children and the elderly.

Officials with the Office of the Attorney General, and the Department of Mental Health assume the proposal will have no fiscal impact on their agencies.

Pharmacists and Pharmacies

This proposal updates the definition of "pharmacy" and creates an additional permit class called "shared services" due to new avenues of providing drugs in the marketplace.

Officials from the **Department of Economic Development - Division of Professional Registration** assume that the Board of Pharmacy would receive 10-25 new applications for the Shared Services Permit. The initial application fee has been calculated at \$250 with an annual renewal fee, thereafter, of \$200. This additional revenue would be deposited into the Board of Pharmacy Fund. A 3% growth rate has been estimated.

Board Per Diem

The board member per diem allowance of \$70 per day was expected to break down as follows:

Board of Healing Arts Advisory Commissions-29 members

Advisory Commission for Clinical Perfusionists - 7

Advisory Commission for Physical Therapists - 5

Advisory Commission for Physician Assistants - 5

# <u>ASSUMPTION</u> (continued)

Missouri Athletic Trainer Advisory Committee - 5
Advisory Commission for Speech-Language Pathologists and Audiologists - 7
Board of Therapeutic Massage–8 members
Board of Geologist Registration–8 members

Bill No. CCS for SS for SCS for HCS for HB 567

Page 14 of 27 May 9, 2001

## Social Work Committee-9 members

Each board was expected to meet four times per year, two days per meeting. The total costs for the per diem allowances was estimated at \$30,240.

Division of Professional Registration

Officials from the **Office of Attorney General** stated that any costs incurred regarding Senate Amendments 1 and 3 (contracts and burden of proof) could be absorbed.

FISCAL IMPACT - State Government	FY 2002 (10 Mo.)	FY 2003	FY 2004
GENERAL REVENUE FUND	,		
Revenues-Dept of Economic			
Development -Professional Registration			
(DED-DPR)			
Private Investigators-	\$0	\$939,840	\$28,160
Licensure/Renewal Fees			
Costs-DED-DPR			
Private Investigators			
Personal Service (4 FTE)	\$0	(\$108,286)	(\$110,993)
Fringe Benefits	\$0	(\$36,092)	(\$36,994)
Expense and Equipment	(\$7,376)	(\$89,824)	(\$41,212)
Other Fund Costs/AGO Costs	(\$63,222)	<u>(\$91,513)</u>	<u>(\$94,726)</u>
Total Admin Costs- DED	(\$70,598)	(\$325,715)	(\$283,925)
<u>Costs</u> - Department of Health			
Board meeting expenses - Automated	(\$3,700)	(\$3,700)	\$0
External Defibrillator Advisory			
Committee			
Costs - Department of Social Services			
Medical Assistance Payments - Dental	(Unknown)	(Unknown)	(Unknown)
Program*			
*Expected to exceed \$100,000 annually			
<u>Costs</u> - Department of Health			
Contracted Professional Services -	(\$66,667)	(\$82,400)	(\$84,872)
Dental Program			
NET ESTIMATED EFFECT ON	<u>(\$140,965 to</u>	(\$528,025 to	(\$340,637 to
GENERAL REVENUE	<u>Unknown)</u>	<u>Unknown)</u>	<u>Unknown)</u>

Bill No. CCS for SS for SCS for HCS for HB 567

Page 15 of 27 May 9, 2001

FISCAL IMPACT - State Government	FY 2002 (10 Mo.)	FY 2003	FY 2004
PR FEES FUND	(10 1/101)		
Income - Department of Professional			
Registration(DPR)			
Transfer from Social Work Fund	\$0	\$0	\$222,015
Income - DPR	Ф2.750	<b>0.41.0.60</b>	Φ2 < 200
Transfer from Architects, et al, Fund	\$3,759	\$41,363	\$36,380
Income - DPR Reimbursement from Other Funds	\$30,240	\$30,240	\$30,240
Remioursement from Other Funds	\$30,240	\$30,240	\$30,240
Costs - DPR - Social Work			
Personal Service (1.5 FTE)	\$0	(\$42,951)	(\$43,899)
Fringe Benefits	\$0	(\$12,636)	(\$12,952)
Expense & Equipment	\$0	(\$29,802)	(\$19,892)
Other Costs/AGO Costs	<u>\$0</u>	<u>(\$29,499)</u>	<u>(\$30,384)</u>
Total Admin Cost - Social Work	\$0	(\$114,888)	(\$107,127)
Costs - DPR - Architects, et al	(#1.100)	(#27, 921)	(007.474)
Personal Service (.75 FTE)	(\$1,100)	(\$26,831)	(\$27,474)
Fringe Benefits	\$0	(\$6,432)	(\$6,593)
Expense and Equipment	<u>(\$2,659)</u>	<u>(\$8,100)</u>	<u>(\$2,313)</u>
Total Admin Cost - Architects et al	(\$3,759)	(\$41,363)	(\$36,380)
Costs - DPR  Par Diam 54 Paged and Commission	(\$20,240)	(\$20.240)	(\$20.240)
Per Diem - 54 Board and Commission Members	(\$30,240)	(\$30,240)	(\$30,240)
Members			
ESTIMATED NET EFFECT TO PR	<u>\$0</u>	(\$114,888)	<b>\$114,888</b>
FEES FUND	<del></del>	<del>(4 == 3,5 = 5)</del>	<u>*===3,===</u>
CLINICAL SOCIAL WORKERS			
FUND			
Income - DPR			
Licensure/Renewal Fees	\$0	\$300,000	\$9,000
Costs - DPR	Ŧ <b>5</b>		4-,-30
Transfer to PR Fees Fund	\$0	\$0	(\$222,015)
Costs - DPR - Social Work Per Diem			
Reimbursement to PR Fees Fund	(\$5,040)	(\$5,040)	(\$5,040)

LMD:LR:OD (12/00)

Bill No. CCS for SS for SCS for HCS for HB 567

Page 16 of 27 May 9, 2001

FISCAL IMPACT - State Government	FY 2002 (10 Mo.)	FY 2003	FY 2004
ESTIMATED NET EFFECT TO CLINICAL SOCIAL WORKERS FUND	<u>(\$5,040)</u>	<u>\$294,960</u>	<u>(\$218,055)</u>
CHIROPRACTIC EXAMINERS FUND			
Income - DPR Temporary License Fees	<u>\$6,250</u>	<u>\$7,725</u>	<u>\$7,950</u>
RESPIRATORY CARE FUND Income - DED-DPR			
Temporary License Fees	<u>\$1,667</u>	<u>\$2,060</u>	<u>\$2,122</u>
ENDOWED CARE CEMETERIES FUND Income - DED-DPR			
License/Renewal Fees	<u>\$173,417</u>	<u>\$214,343</u>	<u>\$220,773</u>
HEALING ARTS FUND <u>Cost</u> - DED-DPR  Per Diem: 29 Advisory Council			
Members	<u>(\$16,240)</u>	<u>(\$16,240)</u>	<u>(\$16,240)</u>
MASSAGE THERAPY FUND Cost - DED-DPR			
Reimbursement to PR Fees Fund	<u>(\$4,480)</u>	<u>(\$4,480)</u>	<u>(\$4,480)</u>
GEOLOGY FUND Cost - DED-DPR			
Reimbursement to PR Fees Fund	<u>(\$4,480)</u>	<u>(\$4,480)</u>	<u>(\$4,480)</u>
ARCHITECTS, PRO. ENGINEERS, PRO. LAND SURVEYORS, AND LANDSCAPE ARCHITECTS FUND Income - DED-DPR Additional			
Licenses/Renewals	\$21,750	\$653	\$29,170

Bill No. CCS for SS for SCS for HCS for HB 567

Page 17 of 27 May 9, 2001

FISCAL IMPACT - State Government	FY 2002 (10 Mo.)	FY 2003	FY 2004
Costs - DED-DPR Transfers to PR Fees Fund ESTIMATED NET EFFECT TO	<u>(\$3,759)</u>	(\$41,363)	(\$36,380)
ARCHITECTS, ET AL, FUND:	<u>\$17,991</u>	<u>(\$40,710)</u>	<u>(\$7,210)</u>
HEALTH PROFESSIONAL STUDENT LOAN AND LOAN REPAYMENT FUND Costs - Department of Health Program Cost for Dentists	(Unknown)	(Unknown)	(Unknown)
DENTAL BOARD FUND		<del></del>	<del></del>
Costs - DED-DPR Meeting Expense Attorney General Expense Total Costs-DPR - Dental Board Fund	(\$1,774) (\$913) ( <b>\$2,687</b> )	(\$7,309) (\$3,743) (\$11,052)	(\$7,528) (\$3,837) (\$11,365)
BOARD OF PHARMACY FUND			
Income - DED-DPR Application Fees	<u>\$6,250</u>	<u>\$5,250</u>	<u>\$5,450</u>
STATE HIGHWAY FUND  Income - Division of Motor Carrier and RR Safety Licensure Fees/Renewals-Housemovers	<u>\$4,200</u>	<u>\$4,200</u>	<u>\$4,200</u>
VARIOUS BOARD FUNDS Savings - DPR Other Fund Costs	<u>\$59,397</u>	<u>\$81,626</u>	<u>\$84,074</u>
FEDERAL FUNDS Income - Department of Social Services Medicaid reimbursements-Dental Program*	Unknown	Unknown	Unknown
Cost - Department of Social Services Medicaid assistance payments-Dental Program*	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON FEDERAL FUNDS	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Bill No. CCS for SS for SCS for HCS for HB 567

Page 18 of 27 May 9, 2001

	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
FISCAL IMPACT - Local Government	FY 2002 (10 Mo.)	FY 2003	FY 2004
*Expected to exceed \$100,000 annually	(10 Mo.)		
FISCAL IMPACT - State Government	FY 2002	FY 2003	FY 2004

#### FISCAL IMPACT - Small Business

Small businesses engaged in the professions with regulatory changes from this bill may experience a direct fiscal impact as a result of the proposal.

#### **DESCRIPTION**

This proposal contains provisions relating to the Division of Professional Registration:

ELECTRONIC STORAGE OF RECORDS - Section 109.120 and 109.241

Expands the method for electronic storage of business and public records to include computergenerated electronic or digital retrieval systems.

DENTAL CARE FOR CHILDREN - Section 167.181, 192.070

Section 167.181 currently requires children to be immunized. This bill allows a physician to administer the appropriate fluoride treatment to a child's teeth during an immunization visit. Section 192.070 requires the Department of Health to issue educational literature. This bill requires the inclusion of the importance of routine dental care for children in the materials.

#### <u>DESCRIPTION</u> (Continued)

DENTAL & CHIROPRACTIC STUDENTS - Section 191.600 to 191.614

Currently the Medical School Loan Repayment Program is established for medical and chiropractic students. The Department of Health agrees to pay a portion of a student's school loans in exchange for his or her agreement to practice in a community in need of health care services. This proposal changes the name to the "Health Professional Loan Repayment Program" and adds dental students to the program. New language also allows participants to practice in a Primary Care or Dental Care Health Professional Shortage Area. This will apply to graduates of

Bill No. CCS for SS for SCS for HCS for HB 567

Page 19 of 27 May 9, 2001

accredited chiropractic colleges when federal guidelines for chiropractic shortage areas are developed.

#### AUTOMATED EXTERNAL DEFIBRILLATOR ADVISORY COMMITTEE - Section 191.938

Creates an Automated External Defibrillator Advisory Committee within the Department of Health (DOH). The main purpose of this committee is to issue a report to DOH, Office of Administration, and the Legislature by December 31, 2002. The report will address various issues including: the advisability of placing automated external defibrillators in public buildings, building determination, training and cost estimates. The committee members will be appointed by the Director of DOH and will be reimbursed for expenses incurred as a result of their duties. This legislation has a sunset provision of June 1, 2003.

#### HEARING INSTRUMENT SPECIALIST - Section 209.251

This act makes a technical correction to include hearing instrument specialists in the definition of "eligible subscriber", therefore, allowing hearing instrument specialists to certify an individual as hearing impaired for telecommunications purposes.

#### PUBLIC AND PRIVATE CEMETERIES - Section 214.209

This section provides for abandoned burial sites to revert to the private or public cemetery. A burial site is deemed abandoned if after seventy-five years from the last activity of record, a reasonable search for the owner fails to locate the owner. If persons with a legitimate claim to the burial site present themselves after the abandoned burial site has been used for a different purpose of resold, the cemetery must provide an equal burial site.

#### ENDOWED CARE CEMETERIES - Sections 214.275 to 214.392

This proposal contains provisions regarding certificates of authority for the operation of endowed care cemeteries, including compliance with state, county, and municipal ordinances or regulations; allowing uncertified cemeteries to fulfill prior obligations before certification; <a href="DESCRIPTION">DESCRIPTION</a> (Continued)

establishing provisions relating to application, renewal, suspension, and revocation of certificates; transfer of ownership of endowed care cemeteries; and allowing the Division of Professional Registration to promulgate rules relating to fees and inspections.

#### OCCUPATIONAL THERAPISTS - Section 324.086

The proposal allows the Missouri Board for Occupational Therapy to refuse to issue or renew certificates of registration and have complaints filed with the Administrative Hearing

Bill No. CCS for SS for SCS for HCS for HB 567

Page 20 of 27 May 9, 2001

Commission against licensees for the reasons set out in this bill. Terms of suspension, revocation, and renewal are provided in the proposal.

DIETICIANS - Section 324.212 & 324.217

This portion of the bill allows the State Committee of Dietitians to refuse to renew certificates of registration and to file complaints with the Administrative Hearing Commission against licensees for the reasons set out in this bill. Terms of suspension, revocation, and renewal are provided in the proposal.

BODY PIERCING AND BRANDING - Section 324.522

This section gives the Director of Professional Registration the authority to promulgate rules and regulations regarding hygienic practices and sanitary operations for branding and body piercing.

TERMITE INSPECTORS - Section 324.530

This proposal requires persons performing termite inspections for real estate transactions to be licensed with the Department of Agriculture.

HOUSE MOVERS - Sections 324.700 to 324.745

This proposal requires those who engage in the profession of house moving to obtain a license from the Department of Economic Development. In order to obtain a license, each house mover would have to demonstrate that it has adequate motor vehicle, liability, workers' compensation, and cargo insurance. House movers who are moving their own homes would not have to obtain a license. For every move made, the house mover would have to obtain a permit from the Department of Transportation. A house mover must also comply with local ordinances. A house mover who violates this act would be guilty of a Class A misdemeanor.

#### DESCRIPTION (Continued)

PRIVATE INVESTIGATORS - Sections 324.1110 to 324.324.1140

This legislation creates within the Division of Professional Registration the Board of Licensed Private Investigator Examiners. No person will provide private investigative services without first being licensed.

The bill contains provisions which include the makeup and duties of the board; exemptions from licensure; requirements for application and licensure; providing proof of liability insurance;

Bill No. CCS for SS for SCS for HCS for HB 567

Page 21 of 27 May 9, 2001

training and written examinations; fees; conducting background checks on applicants; denial, suspension, or revocation of licenses; types and terms of licenses; and reciprocity.

The bill allows licensees to disclose to the board, any law enforcement agency, prosecutor, or the licensee's own representative any information regarding a criminal offense or instruct their client to do so if they are a victim of a criminal act. Licensees are prohibited from making false reports, presenting themselves as a state or federal officer, or manufacturing false evidence. Certain identifying evidence must be filed with the board by licensees.

The bill further requires private investigators or investigator agencies to maintain complete records of business transactions. Records may be confidentially examined by the authority of the board under certain circumstances. The bill contains penalty provisions.

#### ACCOUNTANTS - Sections 326.250 to 326.331

This proposal contains provisions relating to the Missouri State Board of Accountancy. The proposal specifies the makeup, powers, and duties of the board; establishes minimum education requirements for applicants; requires the use of a uniform examination for licensing purposes; creates a one-tier licensing structure, requiring applicants for licensure to provide proof of practical experience; establishes certain age and residential requirements; requires the board to design conditions for reexamination; sets continuing education requirements; creates an inactive status for licensees; allows the board to set fees; exempts from licensure persons certified prior to September 28, 1997; establishes reciprocation guidelines; sets conditions for renewal, suspension, revocation, or denial of individual licenses or accounting firm permits; prohibits persons or entities from holding themselves out as being certified public accountants (CPAs) or CPA firms without being duly licensed; and creates causes in which complaints may be filed against persons or firms with the Administrative Hearing Commission and provides for remedies for aggrieved parties.

#### DESCRIPTION (Continued)

#### LANDSCAPE ARCHITECTS - Sections 327.011 to 327.081

This proposal provides for the licensing of landscape architects with the Division of Professional Registration. The legislation further prohibits persons from holding themselves out as landscape architects without being duly licensed. It does not prohibit persons working in the landscape, nursery, or gardening industry from engaging in their occupations as long as the project scope does not jeopardize public health. The proposal defines criteria for eligibility to apply for

Bill No. CCS for SS for SCS for HCS for HB 567

Page 22 of 27 May 9, 2001

licensure. The proposal waives the licensure requirement for those individuals currently registered with the division on or before August 28, 2002.

This legislation dissolves the Landscape Architectural Council and establishes the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.

ARCHITECTS - Section 327.131

Beginning January 1, 2002, each applicant for a license in architecture will be required to complete an intern program as provided by the National Council of Architectural Registration Boards. Prior to January 1, 2012, any person who has a total of 12 years of education beyond the high school level and satisfactory architectural experience may apply to the board for licensure as an architect. Beginning January 1, 2012, all applicants will be required to hold a degree from an accredited school of architecture.

LAND SURVEYORS - Section 327.314

Persons may apply for licensure as land surveyors if they have been enrolled as a land surveyor in training and have acquired at least four years of satisfactory professional field and office training under the direct supervision of a professional land surveyor. Prior to acceptance for enrollment individuals must provide evidence that they have completed a certain amount of college credit hours in land surveying.

COSMETOLOGISTS - Sections 329.010 to 329.210

This legislation allows persons who have been licensed cosmetologists for at least two years to take the cosmetology instructor's exam. The proposal also increases the amount of limits that a cosmetology student must be enrolled in a course of study.

**DESCRIPTION** (Continued)

The proposed legislation expands the State Board of Cosmetology to include a licensed school owner member.

MANICURISTS AND ESTHETICIANS - Section 329.040

This proposal increases the hours of training required and sets out the requirements of the course of study.

Bill No. CCS for SS for SCS for HCS for HB 567

Page 23 of 27 May 9, 2001

CHIROPRACTIC - Sections 331.032, 331.050, 331.090

This proposal gives the State Board of Chiropractic Examiners authority to issue temporary licenses to qualified individuals. It removes the authority of a college of chiropractic accredited by the Council on Chiropractic Education to approve postgraduate study. Under this proposal, only the State Board of Chiropractic Examiners may approve postgraduate study for required continuing education.

#### DENTISTS & DENTAL HYGIENISTS GRATUITOUS SERVICES - Section 332.072

Currently Section 332.072 allows dentists or dental hygienists to provide gratuitous dental services to a summer camp for no more than fourteen days per year. This proposal removes the reference to summer camps, thus allowing such dental services to be provided anywhere, as long as it is for no more than fourteen days per year.

DENTAL HYGIENISTS - Section 332.086, 332.311, 332.324

A five member Advisory Commission for Dental Hygienists is established to make recommendations to the Missouri Dental Board.

Currently, dental hygienists are prohibited from practicing without the supervision of a dentist. This legislation creates an exception by allowing a dental hygienist practicing in a public health setting to provide fluoride treatments, teeth cleaning, and sealants to children who are eligible for Medicaid. Medicaid shall reimburse all dentists, dental hygienists and pediatricians who provide the above services. Public health settings will be defined jointly by the Department of Health and the Missouri Dental Board. This provision will expire on August 28, 2006.

This proposal also allows the Department of Health to contract with the Missouri Dental Board to establish a donated dental services program through which volunteer dentists will provide comprehensive dental care for needy, disabled, elderly and medically-compromised individuals.

#### <u>DESCRIPTION</u> (Continued)

DOCTORS OF OSTEOPATHY - Section 334.021 & 334.047

This legislation requires interchangeable recognition of medical doctors (MD) and doctors of osteopathy (DO) by insurance companies and the law. The legislation adds the provision that no insurance company may discriminate with respect to employment and related issues based on whether the physician is an MD or DO. A provision is also added to require the interchangeable use of the terms "medical doctor", "MD", "physician", "doctor of osteopathy" or "DO" in

Bill No. CCS for SS for SCS for HCS for HB 567

Page 24 of 27 May 9, 2001

executive orders, administrative rules, and statutes unless any of those terms are specifically excluded.

#### RESPIRATORY CARE - Sections 334.870 to 334.890

This proposal repeals the 18-month temporary permit for respiratory care practitioners and replaces it with a 6-month educational permit which may be obtained during the course of study or a 6-month temporary permit which may be obtained after graduation. This proposal also creates a conditional license. The conditional license can be issued only to individuals who show prima facie evidence that they meet all requirements for full licensure. Conditional licenses may be in effect only for al long as it takes to determine the applicant's qualifications.

#### CLINICAL SOCIAL WORKERS - Section 337.612

This proposal increases the amount of funds that must accumulate in the Clinical Social Workers Fund before transferral to the General Revenue Fund is required when the Committee on Social Workers requires renewal of licenses less frequently than annually.

#### BACCALAUREATE SOCIAL WORKERS - Sections 337.615 to 337.689

This portion of the legislation creates licensure provisions for baccalaureate social workers (BSW) and modifies licensure for clinical social workers (CSW)

This act requires CSWs to pass an examination in addition to current requirements. The State Committee for Social Workers may require continuing education as a condition of license renewal. The Committee will consist of nine members, rather than seven, and will now include two licensed BSWs.

Definitions relating to the licensure of BSWs are provided and a description of common BSW tasks is also provided. Licensed BSWs may not engage in the practice of clinical social work. No BSW provisions shall require any organization to hire a BSW.

#### **DESCRIPTION** (Continued)

Application procedures for licensure are provided. The Committee must send renewal notices to each licensee and failure to provide the Committee with the required information or fees will result in a license revocation. The license will be restored if, within two years, the information and fees are provided.

The act outlines the information required of BSW applicants. This includes a degree, passage of an exam, 3000 practice hours, written application, and fees. Reciprocity may be granted to any

Bill No. CCS for SS for SCS for HCS for HB 567

Page 25 of 27 May 9, 2001

person holding a license from another state with substantially similar requirements. A provisional BSW license may be issued to those who have not yet completed the required practice hours. Each license will be issued for a term of 2 to 4 years. All licensees must complete 15 hours of continuing education each year in order to renew. Temporary permits to practice may be issued under extenuating circumstances.

Reasons the Committee may refuse to issue or renew any license are provided. The applicant must be notified in writing of the refusal and of his or her right to request an administrative hearing. Anyone reporting an applicant's wrongdoing is exempt from liability. The Committee may place the applicant on probation for up to five years and may suspend or revoke a license for up to three years.

Violation of these sections is a Class B misdemeanor. The Department of Economic Development may sue and may request an injunction against a person violating these sections. No information about clients may be disclosed, except in specified circumstances. These sections do not prohibit persons licensed as a BSW from testifying in court regarding social work matters or from consulting professional colleagues or supervisors for their clients.

PHARMACISTS AND PHARMACIES (Sections 338.030 to 338.353)

This legislation modifies licensure provisions for pharmacists and pharmacies.

Currently, requirements for examination are outlined in Section 338.030, RSMo. Proof of a high school diploma is no longer required. Section 338.043, RSMo, currently allows a temporary license if Board requirements are met. The provision authorizing the temporary licensee to practice only under a licensed pharmacist is removed..

The Board may currently deny licensure for specified reasons. A new reason is added regarding personal use or consumption of a controlled substance unless it is prescribed, dispensed, or administered by a health care provider.

All current language defining "pharmacy" is replaced. New language defines pharmacy and lists locations where the practice of pharmacy may occur. All prescription transactions should occur

# **DESCRIPTION** (Continued)

at the place where the prescription was originally presented. This does not, however, prevent the transfer of prescriptions upon request. The Board may override these terms and conditions.

Currently, Section 338.220, RSMo, prohibits the operation of a pharmacy without a permit or license and assigns pharmacies to certain classes. New language adds a "Class J" which means a "shared service".

Bill No. CCS for SS for SCS for HCS for HB 567

Page 26 of 27 May 9, 2001

#### **BOARD PER DIEM**

This proposal establishes a per diem amount (not to exceed seventy dollars per day) for members of the following boards and commissions:

Board of Geologist Registration
Advisory Commission for Clinical Perfusionists
Board of Therapeutic Massage
Advisory Commission for Physical Therapists
Athletic Trainers Advisory Committee
Advisory Commission for Physician Assistants
State Committee for Social Workers
Advisory Commission for Speech-Language Pathologists and Audiologists

#### DIVISION OF PROFESSIONAL REGISTRATION - Section 620.010 and 620.151

This proposal requires the Governor to appoint the Director of the Division of Professional Registration. Currently the Director of the Department of Economic Development appoints the Director of the Division of Professional Registration.

Also, any deliberations conducted and votes taken in rendering a final decision after a hearing before an agency assigned to the division shall be closed to the parties and the public. Once a final decision is rendered, the decision shall be made available to the parties and the public.

For individuals licensed through the Division of Professional Registration who test positive for a controlled substance and do not have a prescription for such drug, the burden of proof is placed on the individual to prove that the controlled substance was not unlawfully possessed.

The repeal and reenactment of sections 167.181, 192.070, and 332.311 and the enactment of sections 332.072 and 332.324 of section A, pertaining to children receiving adequate access to dental care and gratuitous dental services, contain emergency clauses.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements.

#### SOURCES OF INFORMATION

Department of Economic Development
Division of Professional Registration
Division of Motor Carriers and Railroad Safety
Department of Social Services
Office of Administration
Administrative Hearing Commission

Bill No. CCS for SS for SCS for HCS for HB 567

Page 27 of 27 May 9, 2001

Division of Accounting

Division of Budget and Planning

Coordinating Board for Higher Education

Office of State Public Defender

Office of the Secretary of State

Office of State Courts Administrator

Department of Transportation

Department of Insurance

Department of Conservation

Missouri Consolidated Health Care Plan

Office the State Treasurer

Department of Corrections

Department of Public Safety

Missouri State Highway Patrol

Division of Fire Safety

Missouri Gaming Commission

Office of the Attorney General

Department of Mental Health

Department of Health

Department of Natural Resources

City of St Louis

Office of Prosecution Services

Department of Agriculture

Division of Plant Industries

Department of Labor and Industrial Relations

Department of Revenue

**Lottery Commission** 

Jeanne Jarrett, CPA

Director

May 9, 2001